

ID #	IA#	DATE INITIATED	COMPLAINT/VIOLATION	DATE COMPLETED	VIOLATION #1	FINDING #1	VIOLATION #2	FINDING #2	DISCIPLINE	STATUS	DISCIPLINE	STATUS
321	19-005	11/22/2019	Improper Use of Database									Open
321	19-001	3/25/2019	Conduct Unbecoming	9/17/2019	4.2.1.1 Response to Resistance	Exonerated	Dept Rules & Regulations: Conduct	Sustained	Writted Reprimand	Closed	Writted Reprimand	Closed

PALM BEACH GARDENS POLICE DEPARTMENT

INTERNAL AFFAIRS INVESTIGATION

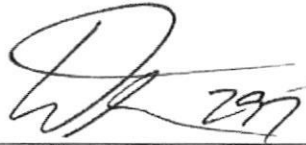
FINAL ACTION SUMMARY

SUBJECT EMPLOYEE: Bethany Guerriero

INVESTIGATION NUMBER: 19-001

DATE: September 17, 2019

INVESTIGATOR: Segeant Todd Grossman



I. Allegations and/or Policy Violations:

- 1: 4.2.1.1 Response to Resistance
- 2: 2.3.12.2 Conduct

II. Summary of Investigation:

A Response to Resistance was completed by Sergeant Buntin subsequent to an investigation conducted by Officer Guerriero on March 6, 2019 under case number 19001425. As part of the supervisory review, questions were raised regarding the officer's demeanor and overall interaction with the subject.

On March 25th, 2019, Chief C. Shannon requested the Investigations Bureau initiate an internal affairs investigation, which was ultimately assigned to me and given IA number 19-001.

My investigation determined that Officer Guerriero responded to a store within the Gardens Mall regarding an unwanted individual. When she arrived, Officer Guerriero was met by the subject in question noted he appeared to be intoxicated. He was argumentative and confrontational and was led outside the mall where his behavior would not draw attention.

Officer Guerriero and the individual engaged in an instigative verbal exchange, during which Officer Guerriero used profanity to address the subject. Ultimately, he failed to comply with repeated instructions by Officers Guerriero and Eriksson to remain seated and attempted to physically overcome the officer(s) in order to leave the scene.

Both officers had attempted to gain physical control of the individual but were unsuccessful. Officer Guerriero deployed her issued Taser before the two officers were able to secure the subject in handcuffs. He was charged with Battery on a Law Enforcement Officer and Resisting Arrest with Violence.

Officer Guerriero's response to resistance was reviewed and deemed to be appropriate and within the parameters of Policy 4.2.1.1. However, it was determined that her demeanor and verbal response to the subject's belligerence were inappropriate and in violation of Rules and Regulations 2.3.12.2.

III. Classification:

- 1: Exonerated regarding Policy 4.2.1.1, Response to Resistance
- 2: Sustained regarding Department Rules and Regulations 2.3.12.2, Conduct

IV. Final Action:

Officer Guerriero was issued a written reprimand.

[Signature]
09-20-19

PALM BEACH GARDENS POLICE DEPARTMENT
DISCIPLINARY ACTION FORM

Employee Name: Officer Bethany Guerriero	ID#: 321
Violation(s): Rules and Regulations 2.3.12.2; Conduct, which states: Members shall present themselves in a professional manner which is courteous, considerate, civil and respectful. Members must remain fair, firm, consistent, impartial and non-prejudicial in the performance of their duties and should avoid conduct which would discredit or embarrass the Department.	
Summary: (attach additional sheets as needed) Officer Guerriero responded the Palm Beach Gardens Mall on 6 March 2019 to investigate a call for service regarding a male making verbal threats at the Nail Bar (PBGPD case 19-001425). Palm Beach Gardens Internal Affairs investigation 19-001, conducted by Sergeant Todd Grossman, found that Officer Guerriero violated Department Rules and Regulations when she displayed an instigative behavior towards the subject. Officer Guerriero responded to Mr. Bourque using inappropriate language on two separate occasions during their encounter. Officer Guerriero found it necessary to utilize her ECW (Taser) to take Bourque into custody as he was ultimately arrested for two counts of resisting arrest with violence and two counts of battery on a law enforcement officer.	
Recommendation: Officer Guerriero is a seasoned veteran officer who is looked upon by her fellow officers for guidance and mentoring. Officer Guerriero should reacquaint herself with the Department's core values of Respect, Accountability and Professionalism. I recommend Officer Guerriero receive a Formal Written Reprimand for violation of Palm Beach Gardens Police Department Rules and Regulations 2.3.12.2, Conduct.	

Assistant Chief M.K. Bechtel

Supervisor Name:



Supervisor Signature

472

Supervisor ID#

3 SEPT 2019

Date

PLEASE FORWARD THROUGH THE APPROPRIATE CHAIN OF COMMAND:

☐ Concur	☐ Do Not Concur	Comments:
Signature _____		
Print Name and Title _____	Date _____	
☐ Concur	☐ Do Not Concur	Comments:
Signature _____		
Print Name and Title _____	Date _____	
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Signature _____		
Print Name and Title _____	Date _____	
☒ Concur	☐ Do Not Concur	Comments:
Signature  _____		
C. SHANNON, CHIEF OF POLICE Print Name and Title _____	09-03-19 Date _____	

Received by employee:

 #321
Employee Signature: _____

09/03/19
Date _____